ARTHUR PRIME'S PERJURY.

The Latest Outgrowth of the Kelsey Tar-and-Feather Case.

CLOSE OF THE EXAMINATION.

Prime Held to Await the Action of the Grand Jury.

RURAL COURT ROOM INCIDENTS.

HUNTINGTON, L. L. Sept. 11, 1873. The examination in the case of Arthur M. Prime charged with perjury in connection with the Kelsey tarring and feathering outrage and presumed ragedy, was resumed this morning here in Justice nfort's little court room. There were about fifty persons present and considerable interest was manifested in the case. Messrs. Young and Platt appeared for the prosecution, and Mr. J. L. Smith for the defence. Prime is a member of one of the oldest and wealthiest families in Huntington.

Henry F. Kelsey, recalled, identified a copy of the complaint in the proceedings before Justice Monfort begun on the 18th of December last; that is my signature appended to this complaint. (Complaint and deposition were both offered in evidence. including the depositions of other parties thereto

Mr. Smith objected, first to the introduction of the complaint, and, secondly, to the introduction of the annexed documents. He was sorry to be compelled to object in this way when it was so easy for the counsel to prove their case in the regular way.

Mr. Young argued that there could be no better or more regular proof of these papers than was now offered. Would the counsel state in what way the proof was irregular?

Mr. Smith-I don't propose to instruct the

Mr. Young-Well, you seemtto do so. Mr. Smith-You seem, as Mr. Platt remarked

resterday, to be going butt end first. Mr. Young-That's the right way. I ask Your Honor to take judicial notice that William H. Monfort was at that time a Justice of the Peace. Here is an adidavit of Henry F. Kelsey, with the jurat; also that of William J. Wood.

Mr. Smith-It does not appear to be a complaint against any specific individual. Mr. Platt-That has been raised before.

Mr. Smith-On, yes: but now we will raise it be hind. (Laughter.)

Mr. Platt-On the butt end plan. Mr. Smith then formally stated his objections.

which were overruled. Kelsey continued-The examination occupied

Beveral days; it commenced on November 30; I was On cross-examination witness testified-There

were three persons present, Justice Monfort, H. C. Platt, Mr. Young and a number of witnesses; the examination was conducted with closed doors; it was private; some citizens endeavored to obtain ion, but were refused.

Redirect—I saw persons excluded; I can give names; I recollect Dr. Banks being excluded, also Isaac Adams; I saw Claudius B. Prime outside the

Q. Were these persons disorderly in the court room? A. Well, they appeared to be excited; they thought there was no reason why they should be Smith—Yes, that's it; let us get that tes-

Mr. Smith—Yes, that's it; let us get us to timony down.
Witness—The doors were opened forcibly; there were officers endeavoring to keep them closed.
Q. Were not these parties subsequently brought up before the Justice for their disorderly conduct before him and for criminal contempt, and did they beto bead guilty?
Objected to as irrelevant, and quite a "shine" resulted as to who introduced the subject of dis-

Mr. Platt undertook to state what Mr. Smith's

Mr. Piatt undertook to state what Mr. Smith's object was in drawing out this testimony; it was to prove that the whole proceeding before His Honor was irregular and illegal.

Mr. Smith—I am glad the gentleman can see so far into a milistone. I know by common report that the public were excluded.

Mr. Piatt—Yes, Mr. Stremble (Mr. Smith's law partner) among the number.

Justice Moniort finally decided that the matter was irrelevant and it was dropped.

Coroner Valentine Baylis then took the witness stand and testified as to the proceedings before him at Oyster Bay on Tuesday last, and identified the official record of the testimony of the prisoner, Arthur M. Prime, in which he contradicted wholly his testimony as given in December last, in the alleged secret proceedings.

coedings.

The Coroner's record of testimony was then read and admitted in evidence.

Question by Mr. Smith—Did the deiendant, Arthur M. Prime, in any portion of that testimony state that he saw his father, Claudius B. Prime, on Mrs. Oakley's premises on the night of November 4? A. I don't recollect the whole of his testimony. Mr. Young—His testimony will show for itself.

Mr. Smith—I merely asked to correct the testimony of one of your witnesses yesterday.

Coroner Baylis—I can't undertake to correct the whole of that testimony of his'n.

Q. Did the witness answer any of these questions under your direction? A. He did one question only, I think.

Considerable chatter was indulged in at this point, and in the interval the constable, Pete Trainer, courtecously handed the prisoner three peanuts out of a pocketful, in the way of a light inneh. Prime enjoyed them, apparently, and saved the shells in his cap. Several of the auditors amused themselves by buffeting a black cur dog under the seats, and one young man, who appeared to fear sunstroke, stood right up in Court all the while with his hat on. ith his hat on. At the close of the Coroner's testimony the tes-

At the close of the Coroner's testimony the testimony was declared all in.

Mr. Smith, counsel for Prime, stated that he had no desire to address the Court, but would merely call attention to a few of the points which he considered would govern the case. He claimed that the evidence given by the prisoner was not a subject of perjury; that the testimony was not given before a Court of proper organization or jurisdiction; that the testimony was not given before a compared that the testimony was not given before an officer having jurisdiction to propound questions and take sworn testimony; that the testimony on this trial is not such as the law requires to make this a prima facie case of perjury—to prove perjury requires the testimony of at least one witness to cerroborate the circumstances; it requires ordinarily two witnesses to corroborate the circumstances, but one witness may be sufficient; that the statements alleged to have been made by the prisoner are merely corroboration, the main evidence being would be that the take in mid-

the statements alleged to have been made by the prisoner are merely corroboration, the main evidence being wanted. I hold that there is not made out here a primal facie case sufficient to bring the mind of the Court legally to conclude that the prisoner is guilty of the offence charged.

Mr. Young, for the prosection, then addressed the Court briefly, claiming that it would not be worth while for the people to proceed against every party who is technically or in point of fact guilty of perjury in every case or upon every occasion where it may be committed. But where it is committed in a case of great public interest or affects important individual rights to becomes at once a matter of deep concern to the whole community. Here is a case where a party appears to have come to his death by violence, and where it is impossible apparently to obtain evidence from those who are supposed to be cognizant of the facts of the manner of his death.

The Sanctify of an OATE

dence from those who are supposed to be cognizant of the facts of the manner of his death. Under

THE SANCTITY OF AN OATS

this defendant has attempted to tride with the officer who is charged with the investigation of the offence. Not only this, but he does it repeatedly, and states that he has considered the matter before he comes to testify, and has been advised, as we assume, by the guity parties, if he was so advised at all, or at least by persons who had an object in view in trying to shield themselves from the consequences of their connection with the matter. He has the audacity, at a subsequent investigation over the remains of this deceased party, to swear that his former testimony on this subject was altogether false. After quoting from the law on the subject of perluy the counsel closed by reviewing, in brief terms, the question as to the legality of the proceedings before Justice Moniort, in December last. The counsel closed by asking that the prisoner be committed.

Justice Moniort announced that he would render his decision at two o'clock, and the Court was adjourned until that hour.

It was nearly three o'clock, however, before Court was reopened.

Justice Moniort arose and said—I find it to be my painful duty to hold the prisoner to await the action of the Grand Jury. I don't see how I could do my duty by making any other decision.

Mr. Smith requested that the Court would allow, if it had the power, a reasonable time to chapse before placing the commitment in the hands of the officers, so as to enable the prisoner to be admitted to bail, Judge Reed had already been telegraphed to in reference to the matter and an allower from him was momentarily expected. It was dealrable that it should be done at once, so as to enable the prisoner to be admitted to bail, Judge Reed had already been telegraphed to in reference to the matter and an allower from him was momentarily expected. It was dealrable that it should be done at once, so as to enable the prisoner to the jail at Riverhead and then resorting t

DELAY OF HABBAS CORPUS
Broccedings to effect an object which could rea-

sonably be effected now without detriment to the public interest.

Justice Moniort said there was no necessity of any unusually harsh expedient in this case. He would inform Constable Trainer as to the reasonable discretion which he has full authority to exercise in the matter. Besides this it would take some little time to prepare the necessary commitment papers, and a reply from Judge Reed might be received before that time.

The Court was then adjourned, and the small assemblage dispersed.

The Court was then adjourned, and the small assemblare dispersed.

About three clolock answer was received from Judge Reed that he would be here to attend to Prime's application for ball to-morrow; but Constable Trainer seems to be mad about something, and the chances are fifty to nothing that young Prime will sleep in the county jail, at Riverhead, sixty miles distant, to-night.

The Grand Jury of the Court of Sessions will convene on Monday next, and Prime's case will then most likely be brought before them.

When the prisoner's wife heard of the result she fainted.

Kelsey's Literature. The following are some examples of Kelsey's letters and pen picturings which I obtained to-day through the courtesy of Mr. Pratt, associate counsel for the people. They are selected from among a dozen specimens addressed to various persons, in-cluding several to Julia Smith. In these latter, while there is nothing obscene, there is much low and contemptibly libidinous double enten-dre. The Mrs. Stuart to whom one of letters was written is an aunt of Mrs. Sammis, nee Julia Smith. This letter, as well as that to Mr. Long, who was Postmaster sey's letters to Miss Smith accumulated because the family would not take them from the office, refers to a certain meeting which Kelsey assumes to have arranged with Miss Smith and the novelesque bosh which follows. It is an unfinished screed, in which Kelsey, fancifully, perhaps, de-scribes the circumstances under which the appoint-ment for that rendezvous was made,

IN WHICH "A FRIENDLY SETTLEMENT" IS ASKED HUNTINGTON, June 25, 1869. Mrs. Stuart:—

Are you aware under what circumstances Julia was absent from her house on the 10th of May, or near that tune, at a late hour of the night? If so, are you willing any longer to eatrust me, without sufficient motives of silence as yet, with so important a secret whose momentary divelgence might cast a shadow over Julia's lite? I have refrained from saying any thing about the affair to the world is something more than yor could expect that I should always keep such a serial reflection of the world in the sound of the series of the world in the series of the series of the series of the world in the series of the s

BATHER MIXED. HUNTINGTON, Nev. 10, 1963.

HUNTINGTON, Nev. 10, 1863.

Mr. Long:—
DEAR Siz.—I wish to make an explanation of the rather unusual affair that occurred at your office lately, in order to excnerate myself from the imputation of being entirely to blame for it. The lady to whom the letter which you gave me was addressed sent to me a note purporting, in somewhat concealed language, to extend an invitation to a moonlight interview at the garden gate, or somewhere else. What were her intentions I was unable to learn, as I could not make it convenient to be present on such interesting occasion.

From the flagrant offence and unpardonable slighting of such a call, as I suppose, the young lady, as all others would have done under the circumstances, because all unions with the content of the circumstances of the country of the content of the circumstances of the country of the circumstances of the country of the circumstances of the circu

"Good morning. Julia!" said Orlos: "I am so glad to see yeu. It seems an age since I met you. I know you are not to blame, dear Julia, aithough I have had some misgivings, and they have been painful to me. Julia," said he with deep earnestness. "can I get hope?"

Julia did not answer, but asked Orlos to give her the book he held in his hand. She opened it and wrote, with a lead penell, something upon the fly leaves, and then handed it back to him.

"Orlos," said Julia, "if I seemed to have shunned you for some time past it was not because my regard for you was less, but for fear something might be divulged that would be prejudicial to us both. You know how very much opposed grandmother is to your attentions. She can scarcely bear the thoughts of it. Grandmother is so kind and good to me, it is painful to do anything against her will."

"You need not do anything against her will."

her will."
"You need not do snything against her will," said Orios;
"If you do not compromise matters with her she will not be any the wiser for all that may transpire, especially if you seem to tail is with her views or give your consent to minor particulars, and thus lull her suspicions."
"If don't like to play the hypocrite and deceive grandmother, either," said Julia; "but I don't see any other way of getting over it at present."
"There are a great many things," said Orios, "allowed in love and war, which would be reprehensible in time of peace."

in love and war, which would be reprehensible in time of peace.

of peace.

Julia stood gazing into the waters which went nurmuring beneath their teet. Every feature was motionless. She seemed like some valley nymph of olden story subdued by an irresistible powerapower which she did not in heart wish to resist.

After a few moments Julia sundenly turned to Orlos to bid him goodby. Orlos extended his hand, and as he held her hand he felt reassured; and in those deep lovelit eyes, where he gazed, he clearly saw the destiny that awaited him—the doubt roll away and reveal the serenity of abiding affection.

It was now nearly school time. The first bell had rang long ago. Julia bade Orlos a smilling adicu, and, tripping off the bridge, was soon lost to sight.

Orlos here, plunges into a vein of fearfully boshy

of the bridge, was soon lost to sight.

Orlos here plunges into a vein of fearfully boshy rhapsody concerning the cestacy of feeling into which he found himself transported by this chat with a mythical school girl, and then resumes as follows:

While indulging in these vagrant fancies he be-

thought himself of the probable hessage that Julia had left him in the album leaves of his Plato. He quickly turned to it, and what was his surprise in finding a pretty little note, in most beautiful chirography, reading hus:'My Dran Onlos:'My Dran Onlos:'Meet me at the bridge to-night, at eight o'clock. Your
'Meet me at the bridge to-night, at eight o'clock.

"Meet me at the bringe to high; a veget of the affectionate "Be sure to come."

Orlos could scarcely believe his senses for very joy. It came as an oracle, opening to him the future in long bright vistas, where all the joys that earth could give awaited him.

He stood midway between the bright dreams of other days—freams which he scarcely had dared hope to see fulfilled—and their final and perfect

Is Kelsey Still Living !- Some Strong Reasons for Believing He Is-A Letter

TO THE EDITOR OF THE HERALD :-

There is so much interest evinced by the public in this case, that I trust a few words on the subject from one who has had considerable experience in weighing and testing evidence will not be taken I must premise that I am a stranger to all the

parties-a stranger to the locality of Huntington, L. I. I have no possible interest to serve; I have no prejudices, except perhaps against the perpetrators, whoever they may be, who tarred and feathered a wretched being who, if we are to judge him by his writing, ought to have been locked up as a monomaniac, or openly horsewhipped by some of Miss Smith's friends, rather than tarred and feathered.

Up to the present moment, let us see what has been proved on the subject.

First we have the fact that on the evening of the 4th of November last Charles Kelsey was tarred and feathered at Huntington, Long Island, and that he afterwards went to his home. Secondly, that some ten months afterwards a

pair of legs and the lower part of the abdomen of human body were found in Oyster Bay, not far from Huntington, with tar and feathers on them. Stripped of sentiment and stripped of prejudice. this is all that has been proved that would be worth anything as evidence on which to place any human being in jeopardy of his life.

True it is that a pair of pantaloens and a pair of drawers belonging to Charles Kelsey were found on the legs; but these might have been placed there by any one who had purchased such a pair of legs at any place where such articles are for sale, and prove nothing. No one has identified the legs as being the legs of Kelsey by any mark or otherwise, and the parts of the body that could have

been identified are missing.
With these facts before us let us examine the evidence and judge on it as we would wish to be judged, and first I would call attention to what appears to be the most fearful part of the chargeviz., the crime of "mayhem" said to have been perpetrated on Kelsey before his death, and here I think the facts proved go to show that Kelsey reached home having suffered nothing beyond being tarred and teathered and the loss of his poetic locks-he walked home-how could he have done so had the knife been then used in the way suggested! Again, during the process he uttered no groan and used no words except, it appears, to threaten two of his tormentors, and this proves that he was not gagged; and above all that he was not gagged; and above all he was exhibited to the ladies as a man who had been sarred and feathered! Who could believe that he had then been outraged in the way suggested? It is known that he reached home. Well, if, as the doctors suggest, the femoral artery was emptied in the operation, why his clothes would have been saturated with blood-at all events he could not have reached home.

If has been suggested that his formentors, or some of them, fearing the consequences, followed him home, spirited him away and murdered him. Let us examine this part of this case. Why, in the name of common sense, did they allow him to leave their clutches, to get home to rouse his brothers, or to lock up the house and remove the evidences of the shameful indignity that had been put on him?

But it is suggested he went out and was seized and taken away. What, without one ory for help, one shries for aid from his brothers, one passionate appeal to his tormentors for mercy, in terms that would have made the country ring again? He is taken away and makes no sign; and, wonderful to relate, although his brother is missing. Mr. W. Kelsey hears nothing of the outrage until the middle of the following day.

Now Mr. charies Kelsey was not an amiable man; he did not like people who interfered with him, witness the feroclous overbearing insolence of his letter to the gentleman who so middly remonstrated with him, published in your paper a few days ago. Fancy the rage and despair of the miserable wretch—hie who had for years set the laws of decency at defiance, set his neighbors at defiance, and of his own will forced his unwelcome attentions on a young girl—he, the poet, the writer of letters, to be tarred and leathered to be exhibited as a spectacle by men for whom he entertained the most protound contempt! Is it a violent assumption that, as he walked hone with his beastly coating tormenting him, that he resolved to take deadly vengeance on his enemies? Could he not disappear and hide his mortification, and at the same time throw suspicion of murder on his enemies? Would not his brother and him in such a pass? I make no charge against the brother. At all events C. Kelsey had money to go where he pleased. Suppose he wanted to create the belief that, he was murdered, what would murderers have been so careful to leave evidence of their crime? If they did this thing they must have taken off the man's cost and vest, removed the shirt, again put on the coat and vest and then left the shirr and boots as evidence against themselves? But what if Kelsey went home, spent the greater part of the high the ceaning himself, put on other crothes, and, after depositing the shirt and boots where they would be found before the trial for the assault, &c.

A body is found, and then comes a statement as to the postition in which

the pocket of the pantalous, at the pocket of the pantalous, and identification.

On the whole, I think it would be well not to assume, first that these were Kelsey's legs and then build upon a foundation that may be so take a charge of murder.

What if Charles Kelsey is living and reads the Hebald every day? What if he should hear that his enemies were to be arraigned for murder? What if he were to read an account of their execution? Respectfully,

A LAWYER.

CHEAP TRANSPORTATION

Meeting of the Senatorial Committee on Transportation.

Evidence of Railroad Experts as to Cost of Transportation of Freight-How Freight Charges Are Decided Upon - The Effect of the Competition of Water Routes-The New York Transportation Question.

The Senatorial Committee on Transportation held their first session yesterday at the Fifth avenue Hotel. The members of the committee present were Senators Winslow (chairman), Conkling, Sherman, Davis and Norwood. There were also present the following representatives of railroad Railway; Mr. Chapin, of the Boston and Albany road; Mr. Worcester, of the New York Central; Mr. Johnson, of the New Jersey Central, and Mr. Hayes,

General Manager of the Blue Line Freight. The CHAIRMAN stated the object of the appointment of the committee, which was to procure, if possible, cheap transportation to the seaboard. There were evidently two sides to the one one side holding that the railroads charge too high a rate for freightage. The committee would like some of the gentlemen to make statements with mit such inquiries as might be suggested.

some of the gentlemen to make statements with regard to the matter, and would afterwards submit such inquiries as might be suggested.

STATEMENT OF ME. HAYES.

Mr. Hayes, the General Manager of the Bine Line Transportation Company, made a statement with regard to through fast freight lines. He said that the rates of lake transportation varied more than on any road. When the grain can be taken into vessels at the lakes not the said of the transportation varied more than on any road. When the grain can be taken into vessels at the lakes not the said that the rates of lake transportation, which covers insurance as well as towage. In 1852 there were \$5,000,000 bushels of grain taken by canal. At that time the boats carried about 141 tons each and now average about 20 tons each. This part of the business continues only through the country is much that the producer must be brought to the said of the business of the country is much that the producer must be brought to the East; and to get it to the interior towns is a great cost to the producer. It is, therefore, necessary that the producer and consumer should be brought together during the winter months, and for this purpose through liase were established. This business, the cost of bandling, to and from different companies' cars, would be more than the cost of water communication. Thersfore the companies made an arrangement among themselves wherely each put in a quota of cars, to form a through line, under one management. These cars belong to the roads under a manager for Louis a copy of that bill comes here and is corrected, and there is no man outside of the railroad companies who receives any of the profus. The earnangement among the profus the consumer must find barges to take it are always and this causes great delay. The difficulty is not in moving the cars over the lines, behavior of the contral of the consumer of the property is moved, it is moved in a different way, by through line, instead of different companies. The cfiect of this system has been such tha

cent. Mr. Hayes then gave a detailed account of the operations of the Bive Line, and was examined at length by the committee.

STATEMENT OF COLONEL JOSEPH D. POTTS.

Colonel Joseph D. Potts, President of the Empire Transportation Company, said that his line was a last freight line, connected principally with the Pennsylvanian lines. The Lake Shore road has on its road all known kinds of fast freight lines. The same general average fixes the freight of all lines. The same general convention, if you choose to call it so, that fixes the freight areas and which governs all shimments out of Chicago. That which governs the rate is generally the competition of water routes don't affect us at all. Last week, for instance, the rates by water outes were nigher than they were by rail from Chicago to New York. The raises from Chicago & Bufallo depend upon a fluctuating demand there. The raises will sometimes vary not only daily, but even during the day. Last week there was a sudden demand of transportation. That was an advance from six court to filling cents per barral; that

made a higher rate than the current railroad rate from Chicago at the present time.

made a higher rate than the current railroad rate from Chicago at the orseant time.

By Senator Conkling—The rates would go up in accordance with the law of supply and demand. It is entirely regulated by supply and demand. By Senator Sherman—We get all we can; that is, profit. We are not regulated by our standard of averaging beyond this; if we made our profits a great amount we should invite undue competition. By Senator Davis—in case of a large crop a new average rate of freight would be made to meet the demand. In no year was there a regular demand for transportation beyond that which the various lines would be able to supply. When the rolling stock lies idle a part of the time there must be an average struck to meet that loss. The average price for the whole year would not be an unfair price. If there was a steady demand throughout the year then we could have lower rates. We are governed, as I have said, by supply and demand, but we have to take into consideration the fact, that the producer has to get a fair profit, and that there is a certain rate which he cannot pay and which has reference also to the profit of his customer.

By Senator Conkling—We take advantage of all

which has reference also to the profit of his customer.

By Senator Conkling—We take advantage of all that the law of supply and demand can give us. Take, for example, an illustration that I can give:—On the Pennsylvania road, at Jonnstown, there is the largest rail manufactory in the United States. Now, nothing can be got there, and nothing can get from there, except by the Pennsylvania road. It has been the practice of the company to encourage the growth of that factory. There are, perhaps, four or five hundred instances of that kind on that road. There is a very large amount of business on that road that is quite beyond competition.

By Senator Sherman—It is not a fact that railroads charge more on short distances than on longer ones. It is done on new railroads, I believe; but I think it is a very injurious policy, and does very great harm to the road. That certainly was the great cause of complaint among the iarmers, and a very justifiable one.

By Senator Norwood—It is very likely true that in some parts of illinois that a bushel of grain would cost its value in freight to send to New York. Indeed I have no doubt that is so in some cases. I should think a freight road only would be entirely impracticable, because the people living along the road would require passenger accommodation.

Mr. H. A. Cassett General Manager of the Pann-

cases. I should think a freight road only would be entirely impracticable, because the people living along the road would require passenger accommodation.

A TWOFOLD EXAMINATION.

Mr. H. A. Cassett, General Manager of the Pennsylvania Railroad for transportation, and Mr. Samuel G. Lewis, Comptroller of the Pennsylvania Railroad, were, at the suggestion of the Chairman, examined together. Both witnesses, he stated, were familiar with the special kinds of information required, and what one did not know could be given by the other. Mr. Cassett said that what was meant by the Pennsylvania Railroad was the railroad irom New York to Pittsburg. The railroad leases also the Delaware and Raritan Canal and the ferryboats of the Camden and Amboy roads. The road has also a connection with the Anchor freight line. The compensation was divided, so that the canals got the best rates they could from the lakes and the railroads get the regular freight rates. The canal was purchased when the railroad was opened in 1857. The Pennsylvania Railroad has spent a large amount of money upon the canals. There is a length of about 150 miles of canal. We do not charge more to a nearer point than we do to a distant point. I embrace in that answer the Pennsylvania road and the Pennsylvania Company. We could afford to carry cheaper longer distances than shorter ones, because we have more to carry. Our rates to-day from New York to Pittsburg are thirty-five cents. That is for first class freight trains in shorter intervals than flitteen minutes. The terminal facilities would be sufficient for discharging if the trains were switched off. I think we could run about eight miles an hour; that is about as slow as we ought to run, and would be cheaper than running at five miles an hour. Our schedule running time between Chicago and New York is ninety hours. The average cost of transportation was eight miles per ton per mile. The lifetime of a locomotive is about ten years. The cost of the maintenance of the way is about thirty per cent. Our consump

A STATE "STRIKE" PARTY.

Conference Meeting of Liberal Republicans-A New Party, Neither Republi-can Nor Democratic-"Liberalism" the Watchword-A Convention To Be Held

The Executive Committee of the liberal republi can party recently sent out invitations to all the prominent members of the party in this State, with a view to having a conference meeting relative to the present status of liberals of all parties in this State, and to taking such action as might be deemed advisable relative to some political movements of recent occurrence. Of course, the action of the democratic party in ruling out from their fold these liberal republicans had much to do in inducing the

LIBERALS TO ASSUME A BOLD STAND for their own existence as a party, and the real obfor their own existence as a party, and the real object of the conference was to devise means whereby the liberal republicans might be strengthened as an opposition to the pure-water republicans or the present administration party by picking up from both republicans and democrats all those advanced malcontents who might desire to go into opposition to the administration and to the Tammany democracy. In response to the call a number of gentlemen from the rural districts and the city, about thirty in all, assembled yesterday at noon in the St. Nicholas Hotel to advise with the executive committee as to what course should be pursued in the light of the recent excluding edict by the New York democracy. The exact state of affairs in this city was, of course, known to all present, but as to how the rural districts were affected was a subject of inquiry. Several of the country gentlemen declared their views, and explained that

Was very encouraging, many leaders of both divisions of the enemy beginning to show signs of healthy inquietude. After a few hours' discussion the whole matter was summed up in the recommendation to the Executive Committee that a Convention of liberals—not of liberal republicans or liberal emocrats only, but of all liberals—should be held, and that steps should at once be taken to that end. After this determination had been come to, the meeting adjourned and the executive committee went into secret session, the result of the committee's deliberations being the resoive to hold a convention of delegates—three from each Assembly district—at Elmira, on the Sth of October, as will be seen from the following call which is to be issued:—

be seen from the following call which is to be issued:—

THE CALL FOR A STATE CONVENTION.

Whereas, the questions and issues that have heretolere divided the people of this country into political parties have ceased to exist, and the principal questions demanding consideration are those relating to the industrial or labor interests of the country, in which the people of the country are more interested than the parties of the past; and whereas, it is not reasonable to suppose that the reform in public affairs conceded to be necessary, and now generally demanded, can be effected by the republican party, which is identified with public abuses, or that it will be by the democratic party, whose state Committee has retused to unite with us in repressing them and whereas many triends of public reform hitherts members of each of these political parties, og ether with many who have never belonged to olther of them, feel that to purify and preserve the government is ine duty of an American citizen above all other dutie; and whereas the whole country, suffering in its consistent industries under the pressure of monepolies created and upheld by the partial and unjust legislation common to both the republican and democratic parties, is torethy summoned to protect itself by overthrowing them; and whereas the liberals stand on the broadest platform of political reforms in rulies; sympathy and accord with their fellow cutzens, who are actuated by these and kindred opinious; and whereas in their judgment, the time has come when those electors who believe that the way to reform is in the union of all its friends should assemble and annonne their principles and their purposes;

Therefore, all electors of the State of New York who

should assemble and announce their principles and their purposes; all electors of the State of New York who are opposed to private and official corruption, and who are in favor of capable and honest men for office, and who recognize no virtue in any political party beyond its power to govern honestly and well, and all who are opposed to the corrupt practices of the present administration, are invited to unite in selecting their delegates and their alternate delegates from each Assembly district in the State, to meet in State Convention in the city of Elmira on Wedneeday, the Sin day of October next, at twelve o'clock noon, for the purpose of declaring their principles and of transacting such business and taking such action as shall then be thought proper. such business and taking successive proper.

ALPERD WILKINSON.
CLARK BELL.
GRINNELL BURT.
DYER D. S. BROWN.
EDWARD F. JONES.
HENRY C. LAKE.
SAMUEL C. TABER.
JOHN COCHRANS.

Chairman of the Liberal Beput ALFRED WILLINSON, Secretary.

SHOOTING AT CREEDMOOR.

The Seventh regiment assembled at the armory early vesterday morning, intending to go to the rifle range at Creedmoor to spend the day, but the rifle range at Creedmoor to spend the day, but the threatening weather caused Colonel Clark to change his mind. The practice match will not occur until some time next week. A large number went out to practice, however, the weather proving favorable. Corporal Rowland, Private Meday, Corporal Price, Captain Van Norden, Sergeant Turner, Private Kemp, Lleutenant Bacon and Corporal Appleton made respectively, at thirteen shots, 20 yards, 34, 34, 30, 23, 23, 24, 23, Lieutenant Bacon, Corporal Rowland and Captain Van Norden, at five shots, 500 yards, 10, 7, 5. Private Meday, Corporal Price and Private Hersey, at four shots, 500 yards, 9, 5, 4,

THE COURTS.

An Injunction Applied for Against the Harbor Masters-The Court Requires Further Affidavits in the Case.

The Penalty of Borrowing Money--The Defendant Remanded for Trial.

A Real Estate Broker Sues for Compensation--- The Court Gives Judgment

in His Favor.

BUSINESS IN THE GENERAL SESSIONS.

The case of Johnston & Yates, charged with being implicated in the recent forgeries of New York Central and other railroad bonds, and which has been brought up regularly for several days past in the Court of Oyer and Terminer, was up yesterday again in this Court, and as heretofore went over again another day, owing to the Grand Jury not having yet brought in any additional in dictments against the accused. It is conceded, meantime, that Mr. Banks, the broker, the principal witness for the prosecution, and who was to be called for the defence, cannot testify as to any guilt of Mr. Johnston in regard to the bonds given

him by the latter to negotiate.

The Harbor Masters, as will be seen by the report below, are after the New York Floating Dry Dock Company, and are seeking to prevent their further occupation of pier No. 49 North River, which it has occupied for the past thirty years. An injunction has been asked for against the Harbor Masters, and after the matter had been discussed at some length yesterday before Judge Fancher, at Supreme Court Chambers, the case was adjourned to allow the putting in of further affi

SUPREME COURT-CHAMBERS.

The flarbor Masters Asserting Their Control Over the Wharves and Slips-An Injunction in the Case and Promise of Long Litigation.
Before Judge Fancher.

Application was made yesterday in this Court on behalf of the New York Floating Dry Dock Company for an injunction against the Harbor Masters of this city, restraining the latter from any interference with their occupancy of the slip at pier 49 North River.

Mr. Erastus C. Benedict, on behalf of the applicants, contended that for the past thirty years they had occupied this slip, through proper grant, which had never been rescinded. He insisted further that their business was a necessity to commerce, and that this was the only place where it could be carried on with proper protection from wind and sufficient depth of water, and convenient to the shipping interests of the city. He added also that they expended large sums in connection with the docks, including \$5,000 recently expended for dredging. A strong point urged was that their structure was not a vessel within the meaning of the statute, and therefore that the Harbor Master had no jurisdiction over it.

Mr. Butler, for the Harbor Masters, contended that for the purposes of commerce, they had ex-

Mr. Sutler, for the Harbor Masters, contended that, for the purposes of commerce, they had exclusive control of the wharves and slips of the city. As to the present case, it was understood that the Dry Dock Company proposed to substitute a larger dock for the present one, and thus increase the present obstruction to the entrance of vessels. Regarding the grant referred to, it was insisted that this was a mere permit to construct a pier.

After some further argument the case was postponed to allow additional amdavits to be submitted.

One of the Penalties of Borrowin

Money. John Schoener was brought into Court yesterday upon a writ of habeas corpus, which had been allowed the day previous upon the application of his counsel. Schoener was committed by Judge Hogan on the 5th of August last, upon an alleged charge of false pretence, upon the complaint of Joseph J. Hecht, of No. 1,032 Second avenue. The complainant alleges that he loaned the prisoner \$150 upon representation that he was the owner of two houses in Eighty-sixth street, near Third avenue, and that he subsequently examined the Register's office, and found such apparently to be the fact. Before the loan came due, however, two deeds were recorded in the Register's office, dated January 16, 1873, upon the 2d day of April, whereby it appears that John Schoener had conveyed the two houses to one H. S. Cole, and whereas in fact he was not the owner at the time he so represented. Mr. Kintzing said that this did not come within the provisions of the statute of false pretences, in that it distinctly appeared that Mr. Hecht did not rely upon the statement of the prisoner, but on the result of his own examination in the Register's office. Besides, he contended this was only an attempt to collect a debt through the machinery of the Criminal Court, and the Court ought not to encourage any such proceedings. Assistant District Attorney Lyons thought it a clear case of called the state of the course out of the wanted on trial. Judge Fancher concurred with Mr. Allen and said he must dismiss the writ, and remanded the prisoner for trial. avenue, and that he subsequently examined the

MARINE COURT-PART I. A Real Estate Broker in Court.

Before Judge Curtis. Margaret Drew vs. John Keyes.-This action was prought by plaintiff against defendant to recover broker's commissions for the sale of two separate houses, belonging to defendant. The plaintiff testified that defendant agreed to pay her one per cen on the amount of the first sale, and also promised to pay her what her services were really worth in the sale of the second. Defendant denied the employment of plaintiff, and contended that the services which resulted in the sales were performed by another person. Mrs. Drew testified that she had been a broker for two years, and had bought and said real extent.

had been a broker for two years, and had bought and sold real estate.

Judge Curtis charged the jury that the plaintiff was bound to prove—first, employment or ratification of her acts; second, that she was the procuring cause of the sale, that by and through her instrumentality the transaction was consummated, and that her duty ended when the minds of the parties were brought together in the channel of mutuality. The Court also instructed the jury that a possessor of property had the right at any time to take it out of the hands of a broker unless there was an agreement that the broker should hold it for a certain time or until a sale was effected, in which last case the negotiations should be consumwhich last case the negotiations should be consumated within a reasonable time.

The jury found for plaintiff in the sum of \$175.

MARINE COURT-CHAMBERS. Decisions.

By Judge Joachimsen Pinkousky vs. Burnette.-It is the opinion of the Court that on the merits the attachment should be retained, but the defendant may have an order on

retained, but the defendant may have an order on the Marshal why under the process he holds her paraphernalia and property exempt from execution. No costs.

Bernstein vs. McDonnell.—This motion ought not to be decided on affidavits. The amount involved is considerable and the facts are controverted. The defendant may take an order to refer this motion to Lewis Saunders, Esq., as referee as to the proofs and report, with his opinion thereon, on or before the 26th of September, and the Court will act upon the coming in of the report of the referee.

COURT OF GENERAL SESSIONS. A Righwayman Sent to the State Prison for Ten Years. Before Judge Sutherland.

At the opening of the Court yesterday John Murphy was arraigned by Assistant District Attorney Rollins, charged with the serious crime of robbery.

The prosecuting witness, John Buregi, in his complaint before the magistrate, said that on the 29th of August the prisoner struck him on the head with his fist and knocked him down, and that while prostrate Murphy put his knee on his breast and took a watch worth \$20 and \$2 in money. An officer heard the cries of the complainant and ran to his assistance, and caught the prisoner in the act of robbing Buregi. The City Judge sentenced Murphy, who was an old man, to the State Prison for ten years.

Darling Robbert of a leafur the prisoner in the state Prison for ten years. Rollins, charged with the serious crime of robbery Daring Robbery of a Lady in Third

Avenue.
Frank Golden, a victous-looking young fellow, was charged with robbery in the first degree. On the afternoon of the 19th of August, while Mrs. Cocke was waiking in Third avenue, the prisoner struck her a blow on the breast and snatched a nocketbook containing a few dollars. He needed guilty to an attempt to commit the offence, and was sent to the State Prison for seven years.

Grand and Petty Larcenies. George Brown charged with stealing a pocketbook containing \$5 on the 2d inst., the property of Anna Armstrong, pleaded guilty to an attempt at petty larceny from the person. The sentence was two years and six months in the State Prison. Michael O'Neil pleaded guilty to an attempt at grand larceny, the allegation being that on the

grand larceny, the allegation being that on the 25th of August he stole a silver watch from Christian Held at Jones' Wood. He was sent to the State Prison for two years.

Pauline Reeger, who, on the 25th of August, stole a quantity of ciothing, valued at \$56, from the residence of Frederick Osmau, Flatbush, and conveyed it to this city, pleaded guilty. She was sent to the Penitentiary for one year.

John Welsh pleaded guilty to petty larceny, the charge being that on the 9th of August he stole a piece of cloth, valued at \$32, the property of Patrick MoNaily.

John Benson, who, on the 30th of August, stole \$33 worth of plated ware, owned by Darwin A. Greene, pleaded guilty to petty larceny. These priseners were each sent to the Penitentiary for six months.

An Alleged Gambler Acquitted. Most of the day was spent in the trial of an in-

dictment against Charles Gumpe, who was jointly indicted with George Braun and Herman Meyer, for iducing people to visit a gambling house. Braun and Herman were convicted before the Recorder and sent to the State Prison. The proof was that John Berlin, a German sailor, and his ship mate were met by Braun, who invited them to occompany him to a gambling saioon at 113 Chatnam street, where, according to Detective Tully, what is called the "skin game" is practised. All the evidence against Gumpe was that he was in the place and farnished the party with drinks. Ex-Recorder Smith stated that he could show by witnesses that Gumpe was a paper hanger, and went there to collect a bill. A lengthy and discursive argument took place, in which the counsel and Mr. Rollins participated. His Honor held that the testimony was insufficient to convict Gumpe of the technical offence named in the indictment, and the jury were instructed to render a verdict of "not guilty." and Herman were convicted before the Recorder

JEFFERSON MARKET POLICE COURT. Stealing a Horse and Wagon.

On Wednesday morning Mr. Carl H. Schultz, of 132 East Seventeenth street, left his horse and buggy standing in West Twenty-eighth street, and after a short absence returned to find it missing. Meanwhile Roundsman Neeley, of the Eighth pre-Meanwhile Roundsman Neeley, of the Eighth pre-cinct, had observed two young men of suspictous appearance driving rapidly down Tenth aseance, and on arriving at the station house and being in-formed of the loss of Mr. Schultz concluded the men he had observed the thieves. He started out in search of them and this morning arrested John Cullen, allas John Quinn, of 114 West Thirty-third street, as one of the guitty parties. He was ar-raigned before Justice Cox, at the Jefferson Market Police Court, yesterday atternoon, and committed to answer. The property was meanwhile found abandoned on the street and returned to its owner.

COURT CALENDARS-THIS DAY.

COURT CALENDARS—THIS DAY.

SUPREME COURT—Held by Judge Fancher.—Nos. 15, 21, 98, 113, 169, 174,175, 173, 179, 189, 197, 208, 209, MARING COURT—Part 1—Held by Judge Curtia.—Nos. 2354, 2876, 2878, 2880, 2882, 2884, 2888, 2889, 2890, 2892, 2894, 2890, 2892, 2894, 2890, 2892, 2894, 2890, 2892, 2894, 2890, 2892, 2894, 2890, 2892, 2894, 2890, 2892, 2894, 2890, 2892, 2894, 2890, 2892, 2894, 2890, 2892, 2894, 2890, 2892, 2894, 2890, 2892, 2894, 2890, 2902, 2894, 2894, 2894, 2890, 2902, 2902, 2902, 2894, 289

BROOKLYN COURTS.

SUPREME COURT-GEMERAL TERM.

Candidates for the Bar. Before Judges Barnard, Gilbert and Tappen. A General Term is being held this week. Daniel T. Walden, E. L. Sanderson and Tompkins Wester-velt have been designated to examine candidates for admission to the Bar. They met yesterday aiternoon and commenced their work. There are but five candidates.

SURROGATE'S COURT.

A Clergyman's Will. Before Surrogate Veeder. church, died last fall, and by his will bequeathed an estate worth about \$80,000 to his nephew, Hugh Maguire. The will was contested, but the Surrogate finsily admitted it to probate. The Surrogate, however, will not grant letters testamentary until the legatee, an alien, shall give security in \$100,000, double the amount of the estate.

Religious Observance in the Russ Chapel-Oriental Christians More Akin to Latin Christians Than to Protestants.

Yesterday was the anniversary of the naming of the Czar Alexander of Russia, and as such was duly observed by religious services in the Orthodox Eastern chapel in Second avenue, near Fiftieth street. The birth-day, which among us stands out so conspicuous in our domestic calendars, is with the Russians of comparatively small moment. They give prominence to the "name-day," and as this day may come long or soon after the birthday, it is kept annually in every household, and especially in the imperial household. Wherever a civil or military officer of the Russian government may be on the occurrence of this day, if it is at all possible for him to do so, he is expected to offer up prayers for the health, peace, prosperity and happiness of the Czar and his family. Hence there were present yesterday at the service in the Greek chapel the first Secretary of the Russian Legation at Washington, M. de Voigt, and the Consul General of Russia, M. D. Bodisco. These gentlemen were attired in military uniform and their breasts were amply decorated with orders and insignia of the imperial lavor. Mme. Botassi, wile of the Greek Consul General, represented her husband, who is absent from the city. Father Morrell, of St. Alban's Ritualistic church, was present also, and appeared to be very much interested in the services, at the close of which he procured a translated copy of the offices of the Orthodox Eastern Church, which he took away with him. The "Te Deum Laudamus" was sung in Russian by Father Bjerring, his assistant and two native Russians.

THE ENGLISH RESPONSES day, it is kept annually in every household, and

Bjerring, his assistant and two native Russians.

THE ENGLISH RESPONSES
were rendered, as usual, by the regular Sabbath choir. The most noticeable feature of the service was the oft-repeated prayer for long life and peace "of the most holy, plous, exalted, anointed and orthodox Emperor Alexander Alexandro witch" and his imperial samily, and the frequent invocations to "our most adorable Lady, the ever Virgin Mary.

Aside from the ritual of the Church there would seem to have been a special necessity for such

Mother of God."

Aside from the ritual of the Church there would seem to have been a special necessity for such adoration and invocation of the Virgin at this time, for since the publication of the Virgin at this time, for since the publication of the sketch of Father Bjerring's sermon in the Heralu of Monday last he has been overrun with questioners of all sorts to know whether or not the Greek Church does really believe the dectrines as set forth in that publication. It was there stated that the Virgin Mary was the bringer forth only of the humanity of Christ, but Father Bjerring declares the dogma of his Church on this point is identical with that of the Roman Church and that the Virgin Mary is actually and literally the Mother of God. In regard to the "Real Presence" in the Eucharist, which the Herald Preport stated was received by fath alone, Father Bjerring says, substantially, that after the consecration of the elements the real soft and instead of disclaiming any priestly power to forgive sins, he says the priests of his Church equally with Roman priests claim such power; and, indeed, instead of disclaiming any prestly power to forgive sins, he says the priests of his Church equally with Roman priests claim such power; and, indeed, instead of disagreeing with the Roman Church, the Greek Church agrees with it substantially in faith and practice, and the disagreement mainly affects the headship of the Church, which the Pope claims and the patriarchs deny. But as Father Bjerring intends on every second Sabbath to continue these sermons, he will doubtless explain more in detail in future the agreements and disagreements, both in theory and practice, between the Greek, the Roman and the Angitcan Churches, whose union is now by many persons so earnestly sought after and prayed for. But what blessings either of a spiritual or carnal nature would come from such a union are hardly to be ascertained, and have never been fully set forth by the advocates of such union.

ANOTHER BRIDGE ACCIDENT.

Yesterday morning, about nine o'clock, a baiance derrick, to one end of which a large arch stone was attached, suddenly turned and both the end of the derrick and the stone descended with a tremen-dous crash through the timber work, a distance of about twenty feet, where they hung. Fortunately none of the workmen were injured. The work of laying the foundation for the arches was com-menced restorday and the first stone was being hoisted in position when the accident occurred.